

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT
OF PENNSYLVANIA

SCOTT GANGLOFF

Plaintiff,

V.

SEARS ROEBUCK & CO.

and

VAUGHAN & BUSHNELL
MANUFACTURING CO.

Defendants.

**JOINT MOTION BY BOTH PARTIES FOR
ENLARGEMENT OF TIME FOR DISCOVERY**

AND NOW, come the parties, by their respective counsel, and file the following Joint Motion for Enlargement Of Time For Discovery:

1. A Pretrial Scheduling Order was entered by this Court on September 4, 2002, stating that all discovery, written, oral and expert, shall be completed by July 1, 2003. The Order further provided that any motions for summary judgment shall be filed by July 1, 2003.

2. Both parties have engaged in extensive written discovery to date. By permission of this Court, the parties were permitted to exceed Federal Rule 33(a) limiting written discovery.

3. Counsel for both parties have been attempting to amicably resolve various discovery issues in good faith, without involvement of this Court.

4. Depositions have been conducted whereby new witnesses in the case have been identified and additional time is requested for that purpose.

5. Additionally, both parties now request an enlargement of time for the completion of discovery and modification of the discovery schedule to allow for expert discovery to be completed after the filing of motions for summary judgment for both liability and damage

experts. This would include inspections, testing and analysis of the subject product, independent medical examination, reports and depositions so that both parties may defer the cost and expense associated with expert discovery until such time.

6. Therefore, both parties respectfully request the following relief:

a. The parties respectfully request that all discovery, written or oral, shall be completed by September 1, 2003.

b. Any motions for summary judgment shall be filed by September 1, 2003.

c. The parties request that expert discovery be deferred until after the filing of dispositive motions and request that production of plaintiff's expert report and deposition of plaintiff's expert be conducted prior to October 1, 2003.

d. The parties request that production of defendants' expert report and deposition of defendants' expert be conducted on or before November 1, 2003.

e. The parties request pretrial memoranda pursuant to Local Rule of Civil Procedure 16.1(c); proposed voir dire questions, jury instructions, special interrogatories, and verdict forms for a jury trial; and any motions in limine shall be filed by December 1, 2003.

7. The parties respectfully request that the proposed enlargement and modification of the discovery schedule will facilitate the best interests of both parties in this case and seek this Honorable Court's permission in the interest of judicial economy and efficiency.

Respectfully submitted,

Thomas Sheridan, Esquire
Pa. I.D. #56939
Sheridan & Murray
3800 Centre Square West
Philadelphia, PA 19102
(215) 972-7800
Counsel for Plaintiff

Mike Adams, Esquire
Pa. I.D. #49688
Cipriani & Werner, P.C.
1100 Two Chatham Center
Pittsburgh, PA 15219-3437
(412) 281-2500
Counsel for Defendants

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT
OF PENNSYLVANIA

SCOTT GANGLOFF

Plaintiff,

V.

SEARS ROEBUCK & CO.

and

VAUGHAN & BUSHNELL
MANUFACTURING CO.

Defendants.

[illegible]

: CIVIL ACTION NO: 02-CV-3732,
: CIVIL ACTION NO: 02-CV-4615

PROPOSED AMENDED PRETRIAL SCHEDULING ORDER

AND NOW, this day of June, 2003, it is hereby **ORDERED** that:

1. All discovery, written or oral, shall be completed by **September 1, 2003**;
2. Any motions for summary judgment shall be filed by **September 1, 2003**,

provided that the parties submit a statement of uncontested facts with any such motion.

Responses to any motions for summary judgment shall be filed within the time permitted under Local Rule of Civil Procedure 7.1(c);

3. Production of plaintiff's expert report and deposition of plaintiff's expert shall be completed by **October 1, 2003**;
4. Production of defendants' expert report and deposition of defendants' expert shall be completed by **November 1, 2003**;

5. Pretrial memoranda pursuant to Local Rule of Civil Procedure 16.1(c); proposed voir dire questions, jury instructions¹, special interrogatories, and verdict forms for a jury trial (or proposed findings of fact and conclusions of law for a non-jury trial); and any motions in limine shall be filed (with a copy of each also delivered to Chambers)² by **December 1, 2003**.

Eduardo C. Robreno, J.

¹ Each proposed jury instruction should be numbered, should appear on a separate page, and should include citations to the authorities supporting the proposed instruction.

² When possible, a courtesy copy of proposed jury instructions (or proposed findings of fact and conclusions of law) should be submitted to Chambers on an IBM-compatible computer diskette, in addition to the hard courtesy copy.